

State of Rhode Island – Department of Administration

STATE MANDATES - 1992 TO 2006

IDENTIFIED AS

ELIGIBLE FOR REIMBURSEMENT APPLICATION

Recommendations in accordance with RI GL 45-13-8

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Introduction

The Office of Local Government Assistance prepared an initial list of all potential eligible state statutory mandates enacted from 1992 to 2006. That list was completed in December of 2006 and posted on the Office of Municipal Affairs website.

Over the last month, a team composed of the individuals posted on the cover page of this report has reviewed each of the initially identified potential state mandates and has prepared recommendations as to which mandates would be potentially reimbursable under the state mandate law. This list as well as identified statutory mandates which were enacted between 1979 and 1992 would be the basis for municipal application for reimbursement on April 1, 2007 as provided for in Section 45-13-8 (c)(2), and each application would apply to costs incurred in the year ending June 30, 2006. The relevant subsection reads as follows:

Cities and towns shall submit to the department of administration in any form that may be established by the department, a report of the cost of each state mandate established after January 1, 1979, to the city or town. The reports shall be submitted by April 1 each year and shall state costs incurred by the city or town during the preceding July 1 – June 30 period.

On December 29, 2006, the Department of Administration issued a report which concluded in part that:

“The Department of Administration (DOA) has determined that the eligibility expansion provisions of the state mandate amendments would apply to costs incurred by municipalities after the January 1, 2007 effective date (*of the Act*). Nevertheless, there was significant legislative activity during the 1992 to 2006 period that the act was dormant, and DOA has been working to update qualifying state statutory mandates that meet the tests that applied in the original act.”

This report represents those conclusions by DOA on qualifying mandates enacted from 1992 to 2006 eligible for reimbursement application under the original provisions of the Act. To reemphasize, it does not attempt to determine what additional mandates would qualify based upon the eligibility expansion provisions of the 2006 Act because DOA has determined that eligibility expansion requests for reimbursement would only apply to costs incurred by municipalities after January 1, 2007.

Absent any changes to the state mandates Act, DOA or its successor agency would expect to hold hearings on eligibility expansion mandates in the fall of 2007 as well as additional mandates enacted during the 2007 General Assembly session.

Non Qualifying State Mandates

The state mandate act either directly or implicitly provides for a number of exemptions to state mandate eligibility. The DOA team has identified those exemptions as follows:

1. **Not material (\$500 Application).** 45-13-7 (4) provides that mandates costing less than \$500 shall not be reimbursable. We have concluded that a mandate is not reimbursable if the costs associated with it are clearly not material.
2. **Affect on Revenue – Not Cost.** Mandate reimbursements are for costs mandated by the state. A state measure which limits the ability of a municipality to raise revenue is not an eligible mandate.
3. **Specifically excluded by law.** Some state statutes which might otherwise have been mandate eligible were specifically excluded from eligibility in the applicable act.
4. **Excluded by 45-13-10.** 45-13-10 specifically excludes certain kinds of state mandated costs from reimbursement. We have attached 45-13-10 in its entirety to the end of this section.
5. **Cost Savings to municipality.** Some of the statutes initially identified as mandates may in fact offer opportunity for cities and towns to save money.
6. **Not applicable.** After careful review, it was clear that certain statutes initially identified as potential mandates do not in any way result in additional municipal costs.
7. **Partially reimbursed (all education mandates).** 45-13-7 provides for eligible reimbursement "...where the expenditures are not otherwise reimbursed in whole or in part." Education costs may currently be construed as partially reimbursed and therefore not eligible as mandates. The amendments effective January 1, 2007 removed the "partially reimbursed" language and will be open for future reconsideration for costs incurred after that date.
8. **One time cost mandate.** There have been occasions when the state has mandated a one time cost to cities and towns. If that mandate applied to a period other than July 1, 2005 to June 30, 2006, it would not be an eligible mandate for determination at this hearing.

§ 45-13-10 Exemptions from reimbursement. – (a) State mandates not subject to reimbursement includes:

- (1) The holding of elections;
 - (2) The assurance of due process;
 - (3) The notification and conduct of public meetings;
 - (4) The procedures for administrative and judicial review of actions taken by cities and towns;
 - (5) The protection of the public from malfeasance, misfeasance, or nonfeasance by local government officials;
 - (6) Financial administration, including the levy, assessment, and collection of taxes; and
 - (7) The preparation and submission of reports necessary for the efficient administration of state laws.
- (b) All statutes having a fiscal impact on cities and towns shall include a provision stating whether these statutes conform to the definition and exemptions prescribed by §§ 45-13-7 – 45-13-10.
- (c) Provided further that none of the provisions of §§ 45-13-7 – 45-13-10 are applied in a manner inconsistent with state law.

The rest of this report replicates the Local Government Assistance report of December 2006 and records the determinations of the review team as to qualifying and non-qualifying mandates. Shaded areas have been determined to be non-qualifying. The reason for non-qualifying is coded in the “OMA Analysis” column using the numbers and references previously summarized.

YEAR	PUBLIC LAW CHAPTER	DESCRIPTION	GENERAL LAW REFERENCE	OMA ANALYSIS
1992	9	Prohibits cities and towns from charging recording fees or real estate conveyance taxes to DEPCO.	42-116-24	2
1992	47	Prohibits cities and towns from passing any ordinance, by-law, or resolution concerning elevators or escalators.	23-33-28	6
1992	230	Requires the governing body of each school to develop enforcement procedures to prohibit tobacco usage by any person utilizing school facilities.	23-20.9-5	1,7
1992	239	Requires those local public libraries, which receive state library aid, to prepare both a preservation plan and a disaster preparedness plan.	29-6-3	
1992	284	Requires local police departments, which seize marijuana and/or controlled substances, to report to the state division of taxation the amount seized.	44-49-9.1	4(7)
1992	377	Requires cities and towns to charge each building permit applicant an additional .1% of the total construction cost for each permit issued. This additional levy must then be sent by the cities and towns to the state building code commission.	23-27.3-108.2	2
1992	385	This RI Land Development and Subdivision Review Enabling Act of 1992 requires every city and town to adopt land development and subdivision review regulations which comply with the provisions of this act.	45-23-25 to 45-23-74	
1992	394	Requires all municipal contracts to be awarded according to the provisions of this act. Provisions of this act are specifically excluded from the provisions of G.L. 45-13-7 to 45-13-10 “Exclusion of State Mandated Costs.”	45-55	3
1992	468	Provides for the withholding of state aid to any city or town which is engaged in the water supply business AND fails to pay the water quality protection charge imposed upon it.	46-15.3-5 (f)	2
1992	478	Prohibits cities and towns from allowing construction, excavation or other ground disturbing activity within 25 feet of a recorded historic cemetery except when certain provisions are complied with.	23-18-11	2

1992	495	Requires any facility which employs a lifeguard, including those owned or maintained by a city or town, to maintain and provide an area which is not exposed to sunlight and must provide sunscreen or other physical protection to insure against overexposure to the sun.	23-22.5-13	
1993	24	Animal care releasing agency (pounds, etc.) cannot release any dog or cat not spayed or neutered unless adopting party enters into written agreement to have animal spayed or neutered within 30 days.	4-19-17	1
1993	24	Any fines collected by the animal releasing agency must be transmitted to the city/town clerk, and how these monies may be spent is set forth.	4-19-19	
1993	45	Cemeteries - this amendment shifts responsibility from Dept. of Health to local city/town councils for approval and setting of standards via local ordinance for the construction of cemeteries and other procedural requirements including body removal and internment.	23-18	6
1993	103	Under the “Public Utilities Commission Act” definition of public utility is amended to include certain water districts and fire districts that brings these entities under the jurisdiction of the P.U.C.	39-1-2	2
1993	123	Tax collectors when issuing a municipal lien certificate must include certain tax sale information.	44-7-11	4(6)
1993	123	Tax collector must deliver to the clerk’s or recorder’s office a list of properties sold at tax sale that must be recorded in land evidence records.	44-9-13	4(6)
1993	138 – Art. 31	Fees for vital records – fees to be charged by local registrars for the issuance of certified copies of vital records are increased.	23-2-25	2,5
1993	138 – Art. 37	Municipal tipping fees are set @ \$32 per ton by Solid Waste Management for current fiscal year.	39-3-11.2	5
1993	138 – Art. 44	Municipal Police Training Academy now becomes the State and Municipal Police Training Academy under the supervision of the Superintendent of State Police.	42-28-25	6
1993	138 – Art. 77	“Special Education Equity Delay” – Funds paid to listed municipalities are restricted revenues to be used for public school purposes only.	16-24-6.2	7, 8
1993	138 – Art. 77	“School Improvement Fund” – Local school districts are required to plan and implement school improvement activities.	16-7-20.3	7, 8
1993	182/204	Police officers when investigating a motor vehicle accident or offense must ask for evidence of proof of financial security, if not provided a citation must be issued to operator.	31-47-12	4(7)

1993	183	Mandates the use of a uniform statewide motor vehicle accident police report by all municipal police departments.	31-26-16	4(7)
1993	226	Adds assignment of mortgage as instrument that clerk or recorder of deeds must index in the land evidence records under the names of all parties to the original mortgage instrument and all subsequent assignees.	34-13-5	4(7)
1993	242	Budget and Review Commissions can be appointed by director of DOA in certain situations, which commissions have the authority to become involved in the city/town budget processes.	45-9-3	4(7)
1993	252	Veterans' tax exemption – expands eligibility pool by lengthening the dates used in defining the Vietnam conflict (changed from Aug. 5, 1964 to Dec. 22, 1961).	30-22-5 44-3-4	2
1993	253/406	Immunization of pupils – requires testing for tuberculosis with the administrative head of the school responsible for securing compliance with testing regulations	16-38-2	7
1993	260	All local governmental agencies shall furnish all necessary information that is requested by the Adult Education Commission.	16-58-11	6
1993	297	Certified local sealers who are assigned to municipalities by Dept. of Labor are responsible for testing and sealing of weighing and measuring apparatus.	47-1-1.1	6
1993	311	A local governing body of a coastal municipality must notify the Coastal Resources Management Council whenever a public right-of-way to tidal water areas has ceased to be useful, and an order of abandonment is proposed.	46-23-6	4(7)
1993	312/438	**Municipal water suppliers must carry out a 'clean water infrastructure replacement program/component', and follow well-defined rules for financing of infrastructure replacement (** These requirements have been specifically excluded from the state mandated costs provision).	46-15.6	3
1993	322	Defines temporary greenhouses and exempts them from property taxes.	23-27.3-109.1.3.5	2
1993	353	Mandates that local licenses cannot be issued to hawkers and peddlers, and itinerant vendors, unless proof is provided that permits to make sales at retail have been issued by Division of Taxation.	5-11-18 5-15-5 5-15-16	2
1993	385/417	Establishment of R.I. Historical Records Trust – An additional assessment of \$2.00 for every instrument filed for recording (real estate transactions or probate filings) must be collected, and involves transmission of monies by clerks to State Archives and establishment of local Historical Records Trust.	42-8.1-20	2

1993	391	When registering voters on the last day of registration prior to an election, if falls on a Saturday, the local Bd. of Canvassers can only remain open from 1pm to 4pm.	17-9-3	6
1993	420	Cities/towns must use standard signs developed by the Coastal Resources Management Council to mark designated rights-of-way.	46-23-6	
1993	425	When a family court hearing is scheduled to review the case of a child who has been certified as delinquent, it is the responsibility of the law enforcement agency making the arrest to notify the victims of the crime.	14-1-42	4
1993	464	The transfer of property to a revocable living trust shall not affect an individual's eligibility to continue to receive a tax exemption, tax freeze, etc.	44-3-38	2
1994	343	Requires local police departments to report the occurrence of Hate Crimes on a monthly basis to the State Police.	42-28-46	4
1994	81	Requires cities and towns to pass ordinances or administrative orders directing their appropriate departments and employees to exercise due care and caution while performing tasks of brush removal and cleaning in the area of stone walls and boundaries; and to repair any damage that they may have caused.	45-2-39	
1994	112	Requires all Housing for the Elderly complexes, which are serviced by one or more elevators and/or electrically powered chair lifts, to be equipped with emergency generators.	23-28.39-1	6
1994	132	Prohibits cities and towns from assessing the owner of an agricultural operation, having frontage on a public roadway, for the extension of water and sewer utilities past the property.	42-82-17	2
1995	256/325	Additional fee levy that is charged for local permits by cities / towns is limited to a maximum of \$50.	23-27.3-108.2	2
1995	312	An additional \$20 inspection fee is allowed on any subsequent reinspection of a smoke detection system by a municipality.	23-28.35-1.2	2, 5
1995	331	No municipality can require a fee be paid for construction or repair of an access ramp for disabled persons of a residential R-4 use group.	23-27.3-118.2	2
1995	61	When a student possesses a firearm in school the superintendent must suspend the student, and school committees are required to develop a student discipline code.	16-21-18 16-21-21	7

1995	85	School superintendents are required to provide information regarding school disciplinary matters to Board of Regents on an annual basis.	16-60-4	7
1995	173	School budgets – requires school committees to comply with certain educational requirements when dealing with insufficiency of funds, including petitioning the Commissioner of Board of Regents for alternatives.	16-2-21.4	7
1995	197	Provides rules for school committees to follow when establishing a charter school.	16-77	7
1995	313	When a student possesses a weapon or commits an aggravated assault on school grounds then the principal must notify the parents and local police, and turn weapon over to local law enforcement.	11-47-60.2	7
1995	66	After receiving notice from the Dept. of Health that water supply is contaminated, the city/town council must give notice to the public.	46-14-2.2	1
1995	188	Duties of public water suppliers include development of management plans and programs for billing and collection of charges.	46-15.4	
1995	190/201	**Public water supply transmission systems and water supply treatment facilities must be under supervision of operators who have been certified by the Board of Certification (** These requirements have been specifically excluded from the state mandated costs provision).	23-65-5 23-65-6 23-65-15	3
1995	305	Veterans' property tax exemptions – category expanded to include those who served in any conflict or undeclared war for which a campaign ribbon or expeditionary medal was earned.	44-3-4	2
1995	271	Policemen's arbitration – contractual provisions shall be continued in subsequent bargaining agreements unless party to the agreement proposes a change in writing during a designated time frame.	28-9.2-17	
1995	174/185	Licenses for hawkers and peddlers will no longer be issued by the state treasurer's office, but governed by local ordinances adopted by city/town councils.	5-11	2, 6
1995	247	Land use decisions and any zoning ordinances adopted must be in conformance with the cities'/towns' local comprehensive plans.	45-22.2-13 45-24-34	4(7)
1995	19	"Law Enforcement Officers Bill of Rights" – Procedural requirements that must be adhered to by police departments and officers when disciplinary actions are instituted against officers, including evidentiary hearing and decision making procedures.	42-28.6	4(7)

1995	140	Municipal police incentive pay – reimbursable eligible expenses shall not include any expenses related to courses in programs leading to an LLB or JD degree unless there exists a separate agreement.	42-28.1-5	5
1995	91	Statute repealed that required city/town clerks to issue marriage licenses only upon completion of physical examinations and blood tests for HIV.	15-2-3	6
1995	91	City/town clerks shall distribute to all persons applying for a marriage license a packet prepared and submitted by the Department of Health.	23-1-36.1	6
1995	265	Executive sessions of local school committees conducting student disciplinary hearings are required to be open if affected students demand it.	42-46-5	6
1995	295	Officers of any cities/towns purchasing any articles or services similar to those produced at the Adult Correctional Institution must notify the director of the ACI and allow bids on any proposals.	13-7-8.1	1, 5
1995	327	Municipalities which provide water services, when in receipt of an excavation notice, must mark approximate location of underground utility facilities within 48 hours.	39-1.2-1	1
1996	100 Article-22	Required cities and towns in FY '97 to contribute local funds to their school committees in an amount not less than their FY '96 local contribution for schools.	16-7-23	7, 8
1996	308	Requires all Financial Town Meetings to be open to the public.	45-3-26	6
1996	378	Requires cities and towns to directly pay police officers who are working traffic details and to bill and be reimbursed by the withholding authority.	37-12-10	
1996	332	Requires every housing authority or any housing for the elderly, subsidized by the federal government, to request a criminal records check as part of the application process for prospective tenants.	45-25-18.12	6
1996	100 Article-22	Required cities and towns in FY '97 to contribute local funds to their school committees in an amount not less than their FY '96 local contribution for schools.	16-7-23	7, 8
1997	30 – Article 31	Requires every school district receiving state aid under Title 16 of the General Laws to develop a district strategic plan based on high academic standards for student performance. Also, requires all school districts to implement a uniform program to track educational expenditures and investments.	16-7.1-2 16-7.1-3	4, 7

1997	360	Requires any city or town, which is engaged in the supply, treatment, transmission or distribution of drinking water, to prepare a Water Supply System Management Plan.	46-15.3-5.1	3
1997	179	Requires cities and towns to conduct periodic updates of their property values.	44-5-11.6	4(6)
1997	182	Requires cities and towns to grant an additional tax exemption to any totally and permanently disabled veteran , who owns a specially-adapted homestead.	44-3-4	2, 4
1997	193	Requires local police officers, who are involved in high speed pursuits, to submit written reports to be kept on file. Also requires the officer in charge to file a written report of the pursuit. Also requires local police departments to enact policies and procedures regarding high speed pursuits and to provide copies of these policies and procedures to the Attorney General's office.	31-27-4.2	
1997	267	Prohibits cities and towns from charging fees for copies and searches to veterans making a request for vital statistics regarding his or her personal records.	23-3-25.1	2
1997	259	Requires cities and towns to supply and maintain 150 feet of rope and a lifesaving buoy at ponds and lakes located within their respective boundaries during designated times.	23-22.5-14	
1997	297	Requires certain Housing for the Elderly complexes to be equipped with emergency generators.	42-66.9-1	6
1998	31 – Article 20	Requires DEM not to distribute motorboat registration fees to cities and towns in lieu of a property tax on motorboats.	46-22-18	2
1998	31 – Article 25	Mandates changes in the distribution of the Real Estate Conveyance Tax.	44-25-1 & 44-25-4	2
1998	31 – Article 27	Requires cities and towns to phase-out the Wholesale and Retail Inventory Tax.	44-3-9.1 & 45-13-1	2, 4(6)
1998	31 – Article 28	Requires cities and towns to phase-out the Motor Vehicle Excise Tax.	44-34.1-1	2,4, 7
1998	31 – Article 31	Requires local school districts to include in the district's strategic plan a process for the mentoring of new teachers. Also requires some school districts to make a breakfast program available to students attending the school.	16-7.1-2 & 16-8-10.1	7
1998	34	Requires the administrative head of each public school to be responsible for securing compliance with disease immunization regulations.	16-38-2	6, 7

1998	88	Requires local school districts to have responsibilities regarding the dental screening of school children.	16-21-9	7
1998	315	Requires local school districts to maintain files as evidence that criminal record checks have been initiated on all persons seeking employment.	16-2-18.1	1, 7
1998	383	Requires local school districts which are receiving targeted funds to establish after-school programs at the middle or junior high school level.	16-7.1-17	7
1998	193	Requires local school committees to negotiate with “other non-administrative professional employees” under the School Teachers Arbitration Act.	28-9.3-2	7
1998	381	Requires local law enforcement officers, who respond to or investigate sexual assault or child molestation incidents, upon determination of probable cause for arrest, to complete a sexual assault report.	11-37-13.3	4(7)
1998	276	This act requires local purchasing agents, when they determine that the city or town needs the services of a professional architect or engineer, to follow the qualification-based selection process for the procurement of architectural and engineering consulting services.	45-55-8.1	
1999	236	Municipal buildings open to the public must provide baby changing tables in both the ladies’ room and men’s room.	23-27.3-701	
1999	430	Local building official must issue upon request a special permit for erection of the foundation of a building.	23-27.3-114.7	6
1999	430	All posted signs are to be furnished by the local building official.	23-27.3-121.3	1
1999	430	Municipally appointed local boards of appeal are mandated to have a specific membership makeup.	23-27.3-127.2	6
1999	31 – Art. 23	Accountability for student performance – district strategic plans must include establishment of student intervention teams to address instructional needs of diverse learners and must address development of inter-agency agreements for coordination of services among agencies responsible for service to children/families.	16-7.1-2	7
1999	31 – Art. 23 219	Mandatory school breakfast program – for all public schools in which 20% or more of students are eligible for free and reduced price type A lunches (down from 40%).	16-8-10.1	7
1999	366	Charter school operating costs – mandates the shares to be paid and a schedule of payments that must be met by municipalities for charter school operations.	16-77.1-2	7

1999	424	Registry of Motor Vehicles is authorized to regulate the vehicles used to transport students to and from extracurricular activities, specific requirements for these vehicles are delineated.	31-22-11.6	7
1999	454	The following signage must be displayed on every school bus – “unlawful to pass when red lights are flashing”.	31-20-11	7
1999	112/303	Motor vehicle excise tax phase out – excise tax rates and ratios of assessment must not be greater than 1998 levels.	44-34.1-1	2, 4
1999	485	Relief from assessment – abatement procedures are modified adding specific timetable responsibilities for the tax assessors and local tax boards of review.	44-5-26	4, 6
1999	493	Installment payments – sets up certain parameters for tax collectors to follow in administering procedures for payment of local property taxes.	44-5-7	4, 6
1999	410/415	Schoolteacher arbitration – compulsory mediation pertaining to unresolved issues must be conducted at no expense to the parties.	28-9.3-9	7
1999	352	Class A license issued to or to be held by a Class E licensee must be included in the total of and subject to the limit upon the maximum number of Class A licenses that may be granted by a municipality.	3-5-16	2
1999	157	Subdivision of land – approval of administrative subdivision must be evidenced by a written decision filed and posted in the city/town clerk’s office.	45-23-37	1
1999	157	In the process for review of applications and plans for approval of minor and major subdivisions, procedures and timetables have been established.	45-23-38; 45-23-40 45-23-41 45-23-43	1
1999	462	Political subdivisions must adopt regulations and zoning ordinances concerning any airport hazard areas within their jurisdiction.	1-3-5 1-3-8	
1999	462	Establishes procedures that must be followed by political subdivisions when granting a permit to construct or change structures in an airport hazard area.	1-3-14	
1999	195	Foreign domestic violence protection orders are to be given full faith and credit and enforced as if issued in this state, and the provision that limits enforcement in this state to no more than 20 days is repealed.	12-29-1.1 15-15-8	
1999	234	In a motor vehicle accident situation a police officer must remain on the scene until a licensed wrecker has cleared the roadway of auto debris.	31-22-14.1	6
1999	283	Each municipality must establish a disability parking enforcement enhancement program and submit a disability parking enforcement enhancement plan and annual progress report to Governor’s Commission on Disabilities.	31-28-7.3	4(7)

1999	445	Violations of GL sections 31-22-13 (Abandoned Vehicles) and 31-22-14 (Towing – Costs Paid by Owner) are now deemed within exclusive jurisdiction of Administrative Adjudication Court.	8-18-10	2, 5
1999	447	The responsibilities of fire chiefs and rescue commanders are delineated regarding use of warning lights on privately owned emergency vehicles.	31-23-11.1	6
1999	448	Chiefs of police who conduct inspections to verify motor vehicle identification numbers must now submit these numbers to the National Crime Information Center.	31-3.1-4	4(7)
1999	494	Probate courts must, when ‘Good Samaritan’ guardianships are being sought, prepare all the forms necessary as part of the application process.	33-15-4.1	
1999	218	All school buses must be equipped with drivers’ seats safety belts.	31-23-41	7
1999	218	Municipal Court Compact – various sections of this act are amended which govern enforcement powers, jurisdictional and procedural issues, distribution of funds from fines collected, and adherence to procedures promulgated by traffic tribunal.	8-18	2,4
1999	291	Cat Identification Program – mandates procedures that are to be followed by animal shelters holding at large or impounded cats, and how fines are to be collected and disposed.	4-22	2

1999	346	All harbor masters are required to have training and education in first aid and cardiopulmonary resuscitation.	46-4-2	
1999	478	Local planning boards must adopt provisions requiring persons filing requests for access to state roads to follow certain procedures.	45-22-7	4(7)
2000	379	Limited maintenance license – Class D shall be issued to municipalities who regularly employ a licensed electrician when work is limited to maintenance on premises owned or occupied by municipality.	5-6-10.1	6
2000	425	Chief plumbing inspector will now be primarily responsible for enforcing professional regulations for plumbers with local inspectors now only assisting.	5-20-33.1	6
2000	504	Whenever a municipality is soliciting a bid for work to be performed the license number of any bidding contractor licensed in Rhode Island must be included.	5-65-23	6
2000	55 – Art. 13	Adequate minimum budget provision – the annual local contribution calculation shall not include Medicaid revenues.	16-7-23	7

2000	55 – Art. 20 206	Mandatory school breakfast program – amendment requires municipalities to make a breakfast program available to students attending school.	16-8-10.1	7
2000	55 – Art. 20	Residency within municipalities for schoolteachers and school administrators cannot be required including by home rule charter provisions previously adopted.	16-12-9	7
2000	142/368	This amendment completely bars commercial activity and fundraising by schoolteachers and other employees or severely curtails it.	16-38-6	6
2000	212/456	Textbooks to be furnished to students – expanded to all grades (K-12) for Mathematics and established for grades K-8 for English/Language Arts and History/Social Studies.	16-23-2	7
2000	212/456	School districts must submit to the Dept. of Elementary and Secondary Education evidence of costs of providing textbooks for English/Language Arts and History/Social Studies for grades K-8.	16-23-3.1	7
2000	262	School districts must establish school improvement teams and their duties.	16-53.1-2 16-53.1-3	7
2000	487	All new school buses are required to be equipped with white flashing strobe lights.	31-24-53	7
2000	99/144	Ballots for blind and visually impaired voters – local board must process requests for voting by special mail ballot and forward them to the Secretary of State.	17-19-8.1	4(1)
2000	247	Community water systems serving populations of 10,000 or more shall deliver a full copy of the Consumer Confidence Report to each household within water systems' service area.	46-13-18	
2000	55 – Art. 19 219	Assessment updates – costs to be borne by the state for first and subsequent updates with the state's share increasing.	44-5-11.6	4(6)
2000	55 – Art. 19	Excise tax on motor vehicles – beginning in fiscal year 2002, the tax assessors shall not issue minimum tax bills.	44-34-2	4(6)
2000	55 – Art. 19	Fire district taxation of motor vehicles – effective with 2000 tax roll, authority to levy such excise taxes on motor vehicles is eliminated and reimbursement for lost revenues will be at 100%.	44-34-6	4(6)
2000	55 – Art. 19	Pension funding – if the municipal contribution is materially less than 100% of required annual contribution, the municipality must submit to the auditor general and DOA a recent actuarial study and recommendations.	45-10-15	4(7)

2000	55 – Art. 19	Motor vehicle excise tax phase-out – exemptions for future fiscal years have been reduced.	44-34.1-1	4(6)
2000	55 – Art. 19	Motor vehicle excise tax phase-out – each city/town must submit its final certified and reconciled motor vehicle levy information by August 30 of each year.	44-34.1-2	4(6)
2000	55 – Art. 29	Amount of hotel tax collected is changed from 5% to 6%.	44-18-36.1	6
2000	74	Motor vehicle excise tax phase-out – maximum taxable value percentage applicable to model year values as of December 31, 1997, shall continue to be applicable in future year valuations aged by one year in each succeeding year, also defines maximum taxable value and net assessed value.	44-34.1-1	6
2000	327	In a land subdivision situation the findings of fact by the reviewing authority for a proposed development must be supported by legally competent evidence on the record.	45-23-60	1
2000	105	Under the “Impersonation and Identity Fraud Act” any apparatus seized by local police during the execution of a search warrant must be forfeited to the state, and other forfeiture procedures are also set forth.	11-49.1-5	6
2000	107	When criminal records checks are performed, as required by DCYF for potential foster parents, they must be conducted at no charge to foster parents and fingerprint records must be destroyed.	14-1-34	1
2000	157/446	Any person issued a summons for driving with an expired license, who has the license reinstated by the registry within 10 days, may present proof of reinstatement to local police which voids the summons, and also record must be expunged.	31-11-18	6
2000	170	Each city/town must establish by local ordinance an emergency management agency.	30-15-12	
2000	192	No juvenile hearing board shall hear offenses that constitute a felony if committed by an adult except by express written consent of Chief Justice of Family Court.	8-10-23.1	6
2000	251	Under the “Traffic Stops Statistics Act” municipal police departments must submit monthly statistical reports to the Attorney General’s office, and adopt written policies on data collection and racial profiling.	31-21.1	4(7)
2000	427	In the “Claims Against Decedents’ Estates” chapter many sections have been amended which amendments transfer the responsibility for administration from appointed commissioners to the probate court.	33-11	6

2000	78	Removes the ability of the city/town to appoint someone who is not an arborist to the tree warden position.	2-14-2	6
2000	376	Requires weights, measures, and volumetric provers to be tested at laboratory accredited by National Bureau of Standards and Tech. rather than state meteorologist.	47-2-3	1
2001	77 – Article 22	Places requirements on local cities and towns regarding funding levels for school departments; also places requirements on local school departments regarding surpluses, student performance, and the education of foster care children	16-7-23 16-7.1-2 16-64-1.1	7
2001	151	Requires local school committees to adopt a comprehensive school safety plan.	16-21-23	7
2001	293	Requires each local school committee to provide school staff and parents and guardians with a written statement of the committee's policy on pesticide application on school property.	23-25-37	7
2001	411 & 415	Prevents local school departments from assigning ID numbers to students which are identical to the student's social security number.	16-38-5.1	7
2001	56 & 121	Requires Local Boards of Canvassers to record the city or town code, and district information in the mailing label section of the mail ballot application. The local board must also print or type the name of the elector and the complete mailing address in the same section. Local boards must also certify emergency mail ballot applications within two (2) days of receipt.	17-20-10	4(1)
2001	271	Requires local school districts to close all public elementary and secondary schools at each general election.	17-18-15	7
2001	53	Requires every fire station or police station to serve as a safe haven by taking temporary physical custody of an infant who is voluntarily left with a staff member of the police or fire station, who must, in turn, immediately notify DCYF.	23-13.1-3	1
2001	312 & 358	Requires 2 police officers from each local police department to serve as a public notary.	42-30-14	4(2)
2001	296	Requires local probate courts to issue a certificate of descent to devisees or heirs at law when the court grants the administration of the estate of any decedent owning real estate.	33-3-14	4(2)
2001	203	Requires cities and towns, as employers, to maintain copies of their written policies on sexual harassment.	28-51-2	4(2)
2002	317	Amusement ride safety – change in emergency provisions for conduction of inspection of electrical equipment if local building official is unavailable.	23-34.1-8	6

2002	65 – Art. 18	District strategic plans – amended to change what school districts must include in their strategic plans.	16-7.1-2	7
2002	65 – Art. 18	The Core Instruction Equity Fund, the Student Equity Investment Fund, and the Professional Development Investment Fund – mandates are created for school districts as to how a certain percentage of each of these funds must be utilized, and only with the prior approval of the Board of Regents.	16-7.1-6 16-7.1-8 16-7.1-10	7
2002	65 – Art. 18	Targeted school aid – 5% of this fund must be set aside for intervention remedies, and spent only with the prior approval of the Board of Regents.	16-7.1-16	7
2002	323	Eligibility for attendance in kindergarten – students are eligible if attain 5 years of age on or before September 1 of school year.	16-2-27	7
2002	400	Professional Development Investment Fund – 25% of funds appropriated by general assembly must be set aside for professional development activities, which will be determined by a special district committee.	16-7.1-10	7
2002	418	Pesticide control – mandates the procedures which will govern application and notice of pesticide control activities at schools.	23-25-37	7
2002	113/203	This amendment removes the ban on appointment of city/town employees as election officials.	17-11-15	4(1)
2002	114	Mandates that voter registration lists must be furnished to state or local office holders and also declared candidates for public office by local board.	17-9.1-21	4(1)
2002	65 – Art. 13	The water quality protection charge that must be paid by each public supplier of water is raised from \$.0259 to \$.0292 per 100 gallons of water.	46-15.3-5	6
2002	161/162	Local building officials cannot issue certificate of occupancy for a new building with a private well until the owner submits documentation demonstrating compliance with drinking water testing requirements.	23-27.3-120.1	6
2002	20	Veterans' benefits – increases eligible class by extending Vietnam service eligible dates.	30-22-5	2, 6
2002	65 – Art. 3	Motor vehicle excise tax phase out – reduction in phase out exemption amounts and reimbursement formulas.	44-34.1-1 44-34.1-2	4(6)
2002	65 – Art. 13	Municipalities' shares of beach parking fees have been reduced from a 60/40 split to a 73/27 split – the latter figure going to municipalities.	42-17.1-9.1	2
2002	65 – Art. 16	The rate for the real estate conveyance tax which must be collected has been increased from \$1.40 to \$2.00 for each \$500 of the purchase price.	44-25-1	2

2002	140/245	Amends what is required of the local tax collector in giving notice to taxpayers during the tax sales procedure.	44-9-10	4(6)
2002	324/414	Under the annual post audit requirement the selection of auditors by the city/town is subject to the approval of the state auditor general.	45-10-4	
2002	324/414	If the city/town fails to file the audit report the audit work-papers must be transmitted to the state auditor general.	45-10-5.2	
2002	324/414	If the auditor issues a qualified opinion the chief financial officer of the city/town must prepare and submit a detailed corrective action plan and timetable.	45-10-6.1	
2002	65 – Art. 15	In a schoolteachers' arbitration situation, when compulsory mediation occurs, any mediation costs above \$5,000 must be shared equally between the collective bargaining unit and the school committee.	28-9.3-9	7
2002	325/393	A Class D license must be issued only to a club or to any corporation organized prior to 1900, and which has held a Class D license for at least 10 consecutive years.	3-7-11	6
2002	181	The decisions of zoning boards of review no longer need to be mailed to the statewide planning program.	45-24-61	6
2002	416	Low and moderate income housing act – the chair of the State Housing Appeals Board shall provide for review by local planning boards in cases involving land development projects and subdivisions.	45-53-4	6
2002	65 – Art. 13	The fee for applications to the Municipal Police Training Academy shall be increased from \$25 to \$50.	42-28-25	6
2002	330	Under the Sexual Offender and Registration Act local law enforcement must release relevant information to campus police or police for private institutions when violator is attending an institution of higher education.	11-37.1-11	6
2002	386	Local law enforcement is obligated to preserve all biological evidence that comes into its possession during the course of a criminal investigation.	10-9.1-11	4(2)
2002	417	Police officials have the duty to furnish the Bureau of Criminal Identification of the Department of Attorney General the fingerprints of all persons arrested or wanted for serious crimes.	12-1-9.1 12-1-10.1	4(2)
2002	65 – Art. 13	When licenses are issued by city/town clerks the percentage of fees charged for these licenses that may be retained by the local community is increased.	20-2-4	2, 6
2002	65 – Art. 13	The fees that must be charged for issuance of hunting, fishing and combination licenses have been increased.	20-2-15 20-2-16 20-2-17	2, 6

2002	65 – Art. 13	Credit card account numbers, when credit cards are utilized to pay municipal court fees and fines, are not considered public records but must be kept confidential.	8-15-9.1	6
2002	187/188	Under the Lead Poisoning Prevention Act the clerk or recorder of deeds must record a copy of the high risk notice the property owner receives from the Health Department.	23-24.6-23	6

2002	187/188	Under the Lead Hazard Mitigation Act the minimum housing official must treat lead paint hazards as violative of the Minimum Housing and Occupancy Code.	45-24.3-5 45-24.3-10	6
2003	106/107	Comprehensive fire safety code act – which contains various amendments to the fire safety code, which provisions must be adhered to by local fire inspectors.	23-28.1 23-28.01	
2003	227/360	Local communities are mandated to issue building permits to licensed hoisting engineers for excavation and installation of underground conduits.	5-6-29	2
2003	83/84	Requires all athletic coaches to submit annual proof of current and valid training in first aid	16-11.1-1	7
2003	126/136	Amends the qualifications needed when teacher assistants are being hired, with different standards depending on the hiring date.	16-11.2-2	7
2003	204/213	All local communities must include an extensive anti-bullying policy in their student discipline codes.	16-21-26	7
2003	376 – Art. 9	Contribution of local funds to school committees – minimum budget provision.	16-7-23	7
2003	376 – Art. 9	Professional development investment fund expenditures must be aligned with the district strategic plan and ongoing programs approved by Department of Elementary and Secondary Education.	16-7.1-10	7
2003	376 – Art. 9	Textbooks to be furnished to students – expanded to all grades (K-12) for English/Language Arts and History/Social Studies.	16-23-2	7
2003	376 – Art. 9	Mandatory school breakfast programs – costs incurred in excess of available federal money to be borne exclusively by the state.	16-8-10.1	7
2003	393	Eligibility for attendance in first grade – students are eligible if attain 6 years of age on or before September 1 of school year.	16-2-28	7
2003	433	Collaboratives shall implement uniform programs to track investments and expenditures and file annual reports with various entities.	16-3.1-13	7

2003	234	Under the “Help America Vote Act” voters must be allowed to cast a provisional ballot if certain eligibility issues arise.	17-19-24.1	4(1)
2003	54/66	Municipal deficits: chief financial officers of municipality and school committee must monitor and report on status of financial operations; develop and submit plan to eliminate year-end deficit to state auditor general; shall not sell long-term bond to fund deficit without prior approval; places a limit on unbudgeted expenditures that can be incurred.	45-12-22.2 thru 45-12-22.7	4(6)
2003	93	Veterans’ tax exemption – increases eligible class by extending Vietnam service eligible dates.	44-3-4(a)(1)	2, 4(6)
2003	262	Various amendments are made to the tax sales act which expand notice provision requirements and expand requirements for recording of deeds, tax sales lists and certificates of redemption.	44-9-9 44-9-11 44-9-12 44-9-13 44-9-19	2, 4(6)
2003	386	All MBTA property is deemed to be exempt from property taxation.	39-6.1-10.1	2
2003	402	All real and personal property of incorporated volunteer ambulance/rescue corps are exempt from taxation.	44-3-3(15)	4(6), 2
2003	241/366	Licenses for caterers, now Class P, can only be issued by DBR, and can no longer be issued on the local level.	3-7-14.2	2
2003	376 – Art. 7	The fees for issuance and renewal of retail liquor licenses have been increased across various categories of licenses.	3-7	2
2003	162/170	Certain functions required under the “Sexual Offender Registration Act” now performed by local law enforcement are assigned to the Sexual Offender Board of Review.	11-37.1	5
2003	309/327	All vehicles with fire apparatus plates must be annually inspected according to NFPA standards.	31-22-29	
2003	376 – Art. 30	All local police departments must submit an annual report to Commission on Race & Police-Community Relations.	42-137-5	4(7)
2003	378	In an “Amber Alert” situation local law enforcement must confirm an abduction has occurred and must provide descriptive information to the state police.	42-28-3.1	6
2003	418/432	Prescribes certain duties for local police regarding firearms obtained by police including destruction and conducting of an auction and requires permanent record keeping for all firearms received.	11-47-22	2, 4(7)

2003	376 – Art. 7	General recording fees are increased for certain instruments and 10% of fees collected must be utilized for document preservation and technological upgrades.	34-13-7	2
2003	305/362	Public notice of all meetings of public bodies and minutes from these meetings must be electronically transmitted to the secretary of state.	42-46-6 42-46-7	4(3)
2004	220 & 225	Requires extensive amendments to the State Fire Code.	23-28.1	
2004	42 & 103	Requires school safety plans, which are adopted by local school committees, to include additional policies and procedures.	16-21-24	7
2004	452	Requires all local school committees to initiate policy intended to improve the educational performance of their middle schools.	16-83-3	7
2004	555	Requires each school district to adopt a plan to ensure continued education of students who are removed from the classroom due to a suspension of more than 10 days or who are chronically truant.	16-21-27	7
2004	595- Article 16	Requires cities and towns to send the State more of the proceeds from the Real Estate Conveyance Tax; and therefor, the cities and towns required to retain less.	44-25-1	2
2004	595-Article 23	Requires all local school districts to keep their accounts in accordance with a Uniform System of Accounting promulgated by the Auditor General and the State Department of Education.	16-2-9.4	7, 4(7)
2004	203 & 208	Requires cities and towns to amend their comprehensive plans to conform with the state guide plan elements adopted or amended to effectuate G.L. 46-31 within one (1) year.	46-31-10	
2004	195 & 197	Requires cities and towns to grant Class A licenses authorizing Sunday sales to retail establishments, which sell alcoholic beverages for consumption off the premises.	5-23-2	2, 4(7)
2004	3 & 4	Requires certain cities and towns to prepare a comprehensive plan housing element for low and moderate income housing	45-53-4	
2004	286 & 324	Requires cities and towns to follow certain procedural requirements regarding affordable housing plans.	45-53-4	

2004	331 & 356	Requires local law enforcement agencies using video and/or audio surveillance cameras in their vehicles to adopt written policies and procedures regarding the use of such cameras; also to establish procedures to investigate complaints of police misconduct by members of the public.	31-21.2-8	4(7)
2004	448	Requires city and town clerks to increase the recording fee for a <i>lis pendens</i> .	34-13-7	2
2004	277 & 284	Under the Mill Building & Economic Revitalization Act, cities and towns are required to submit to the Enterprise Zone Council a list of industrial mill structures located within the city or town for consideration by the Council as to whether any of these structures qualify as certifiable buildings.	42-64.9-5	1, 4(7)
2005	74 & 76	Requires local school committees to address health and wellness of students and employees; also to establish a sub-committee to decrease obesity; and to submit strategies to State Department of Education.	16-2-9	7
2005	117 -Article 13	Requires local school committees to get prior approval from the State Commissioner of Elementary & Secondary Education for the expenditure of professional development funds; Also requires local school districts to file a plan with the State Commissioner regarding opportunities to enroll in career and technical programs.	16-7.1-10 16-45-6.1	7
2005	177 & 180	Requires local schools to use civic education standards beginning in <u>kindergarten</u> and continuing through grade 12.	16-22-2	7
2005	341	Requires local school districts to submit a corrective action plan if the auditor conducting the post audit expresses an opinion on the financial statements that is other than unqualified.	45-10-6.1	4(7), 7
2005	353	Requires local school districts to be a part of a city or town post audit and not be required to obtain a separate post audit.	45-10-4	5, 7
2005	409	Requires local school officials to follow certain procedures when making a student available to a law enforcement officer for interrogation.	16-21.5-2 to 16-21.5-4	4(2)
2005	71 & 83	Requires those cities and towns which are suppliers of public drinking water to report any test results, which indicate that drinking water may not be safe and potable, to the State Director of Health.	46-13-9.1	4(7)
2005	387	Requires local tax assessors to have notices of their meetings posted in 4 public places and advertised in a newspaper with statewide circulation	44-5-15	4(3)(6)

2005	314	Requires cities and towns to provide by ordinance for the notification to farmers (agricultural operations) regarding zoning and/or permitted uses of land used for farming, development rights, etc.	2-23.1-1 to 2-23.1-4	
2005	75 & 80	Requires local police departments to disclose information to the general public regarding registered sex offenders.	11-37.1-11	4(7)
2005	294 & 311	Prohibits cities and towns from requiring residency for police officers, firefighters and municipal employees.	45-2-15.1	6
2005	411	Requires the State Police or local police to conduct criminal record checks on applicants for massage parlors. They must also perform a notification function if any disqualifying information is discovered.	23-20.8-3	6
2005	117 – Article 7	Requires cities and towns to adhere to new service retirement allowances and procedures for public school teachers.	16-16-12 16-16-13	5, 7
2005	293	Requires cities and towns to bring any pension benefits of employees on military leave into conformance with the Uniformed Services Employment and Reemployment Rights Act.	36-5-3	
2005	125 & 203	Requires cities and towns to use any fines collected under G.L. 4-19-18 to be used only for programs for the spaying or neutering of dogs and cats.	4-19-18	2
2005	256 & 262	Prohibits cities and towns from disposing of any animal by using a carbon monoxide chamber or gas chamber.	4-19-12	6
2005	325 & 350	Requires all harbormasters to attend the Rhode Island Harbormasters Training Academy.	46-4-2	
2006	166/193	Local communities required to accept state building code commissioner approval of certain repetitive construction.	23-27.3-128.6	5, 6
2006	231/234	All local public schools would be required to distribute healthier beverages and snacks.	16-21-7	7
2006	246 – Art. 19	Salary supplement for speech language pathologists.	16-25.3-2	7
2006	264/298	Statewide School Purchasing System	16-5-34	5, 7
2006	87/96	Publication and posting of preliminary lists by local board of canvassers.	17-10-3 17-13-1	4(1)
2006	87/96	Equal access at polling places for blind, visually impaired, and disabled persons.	17-19-8.1	4(1)

2006	187/352	All elementary and secondary public schools required to close on day a statewide primary is conducted.	17-18-15	4(1)
2006	58/62	Local communities required to prepare emergency action plans for high hazard dams.	46-19-9	
2006	68/77	Preservation of agricultural use of lands by limiting effect of local ordinances.	2-23.2	2, 6
2006	104/126	Annual reports of water providers: content and forwarding responsibilities.	46-15.1-21	4(7)
2006	2/3	Veterans' tax exemption – additional eligible conflicts will create a larger group of individuals who qualify for this exemption.	44-3-4.2	2, 4(6)
2006	246 – Art. 29 571	Motor vehicle excise tax phase out – exemption amounts increased.	44-34.1-1	2, 4(6)
2006	253	Maximum tax levy – Decreasing scale of percentage increases allowed.	44-5-2	4(6)
2006	253	Availability of funds upon failure to approve annual appropriation measure.	45-2-3.2	6
2006	253	Percentage caps on school district budgets adopted by school committees.	16-2-21	4(6), 5
2006	301	Motor vehicle excise tax phase out – Excise tax rates and ratio of assessment levels.	44-34.1-1	2, 4(6)
2006	356/470	Tax exempt properties – ceiling amount of exemption removed on properties owned by religious organizations.	44-3-3 (6)	2, 4(6)
2006	383/434	Assessment of tangible property – mandated use of asset classification table.	44-5-12	2, 4(6)
2006	534/537	RIHMFC has right of first refusal to acquire tax liens at tax sales of owner-occupied residential property.	44-9-8.3	2, 4(6)
2006	534/537	Various duties imposed upon tax collector during tax sales process – many involving proper notice.	44-9	4(6)
2006	535/536	Farm property – greenhouses are to be granted tax exemptions.	44-5-42	2, 4(6)
2006	224	Emergency service workers who are exposed to bodily fluids, etc. are required to fill out a pre-hospital exposure form.	23-4.1-19	4 (7)
2006	232/235	Municipal police departments are required to provide informational input into the annual report on impaired drivers.	31-27-3.1	4 (7)

2006	246 – Art.4	Exemption for cities and towns from the 911 emergency telephone surcharge has been eliminated.	39-21.1-14	
2006	259/284	Domestic violence foreign protection orders must be enforced by police departments.	15-15.1-4	4(2), 4(7)
2006	259/284	Police must register domestic violence foreign protection orders and furnish certified copies of registered orders to individuals.	15-15.1-5	4(2), 4(7)

2006	501	Local law enforcement has duty to report incidences of patient abuse to state long-term care ombudsperson.	23-17.8-2	4(7)
2006	557	Local law enforcement is mandated to enforce the provisions of the “Anti-Idling Act”.	23-23-29.5	6
2006	585	In accidents involving motor vehicles and bicycle riders there is a duty to provide emergency services even if outside jurisdictional boundaries.	31-26-33	6
2006	59/63	Permit program for the breeding of cats shall be administered and enforced by the local animal control officer.	4-24-11	2
2006	59/63	Permit program for the breeding of cats mandates collection of a canine surcharge, and deposit of all revenue in a spay/neuter account.	4-24-9 4-24-13	2
2006	364/446	A storm drainage system that is part of a small municipal separate storm sewer system must be inspected annually.	45-61.1-2	
2006	364/446	Municipal storm sewer system must prepare a storm water management program plan.	45-61.1-3	4(7)